Seventeenth Annual Report

of

THE DEPARTMENT OF JUSTICE

for

Prince Edward Island

1989

90-05255/

TO: **THE HONOURABLE LLOYD G. MacPHAIL**
Lieutenant Governor
Province of Prince Edward Island

May It Please Your Honour:

I have the honour to submit the seventeenth Annual Report of the Department of Justice for this province.

I have the honour to be, Sir,

Your obedient servant,

Joseph A. Ghiz
Minister of Justice and
Attorney General

TO:

THE HONOURABLE JOSEPH A. GHIZ, Q.C.
Minister of Justice and Attorney General
Province of Prince Edward Island

Sir:

I am pleased to submit herewith the Annual Report of the Department of Justice for the year ending 31 December 1989.

Respectfully submitted,

Arthur J. Currie, Q.C.
Deputy Minister of Justice

CONTENTS

	Page No.
Introduction	1
Departmental Divisions	1
Administration	2
Community and Correctional Services	2
Consumer Services	15
Corporations	19
Crown Attorneys	22
Family Legal Aid	23
Insurance	27
Judicial	29
Legal Services	34
Legislative Counsel	35
Public Defender	35

INTRODUCTION

After the general election of 1989, the Department of Justice received a new Minister when the Honourable Joseph A. Ghiz, Q.C. was sworn in as Premier and Minister of Justice & Attorney General. Premier Ghiz replaces the Honourable Wayne D. Cheverie, Q.C. who was sworn in as Minister of Health and Social Services.

Of major significance to the administration of justice in the Province was the revision of the statutes. The statutes were last revised in 1974 and the passage of the Statute Revision Act paved the way for Mr. M. Raymond Moore, Legislative Counsel, and his staff (Mrs. Leona Nicholson and Mrs. Marina Bears) to commence this major project. The revision has been completed and the Revised Statutes of Prince Edward Island 1988 are now available from the Queen's Printer. Mr. Moore and his staff are to be commended for their dedication and for the efficient and prompt manner in which this task was undertaken and completed.

Major renovations to the Prince County Courthouse and jail were completed and both facilities are operational. Even though space is still at a premium, both facilities are much improved. In particular, the Prince County Jail is now a much more secure and safer facility for both staff and inmates.

As in the past, the reports of the divisions of the Department contained herein have been prepared by the directors and amalgamated into the report of the Department. The report of the Commanding Officer of "L" Division R.C.M.P. will be tabled in the Legislative Assembly as a separate report.

DEPARTMENTAL DIVISIONS

1. Administration
2. Community and Correctional Services
3. Consumer Services
4. Corporations
5. Crown Attorneys
6. Family Legal Aid
7. Insurance
8. Judicial
9. Legal Services
10. Legislative Counsel
11. Public Defender

ADMINISTRATION

The Administration Division is responsible for the personnel of the Department and ensuring that the Department runs in a smooth and efficient manner. The Division is under the Director of Corporations who, in conjunction with the staff of the Division, prepares the annual budget and account for all revenues and expenditures.

Personnel

Director: Edison Shea, C.A.
Administrative Officer: Kaye MacFadyen
Clerk: Donna Thompson
Clerk: Linda Allen

COMMUNITY & CORRECTIONAL SERVICES

Introduction

The Community and Correctional Services Division is comprised of three branches:

1) Community Programs;
2) Custody Programs;
3) Special Programs.

COMMUNITY PROGRAMS

This branch includes the provision of youth and adult probation, Family Court, and related services.

At year's end, field staff of the branch consisted of two family counsellors and eleven probation officers operating from offices in Charlottetown, Summerside, O'Leary, Montague and part-time offices in Soars and Alberton.

In addition, Mr. Renald Duchesneau, a probation officer from St. Hyacinthe, Quebec, with the Quebec Probation Services, joined the service in October 1989 for a one year period under the Interprovincial Exchange Agreement between Quebec and Prince Edward Island. This special arrangement is supported by the French Language Services Program of the province.

Court Reports

During 1989, probation officers conducted assessments and investigations for and submitted 143 court reports to both Provincial and Supreme Court.

There were 152 court reports prepared on young offenders for Youth Court.

Probation Supervision

On January 1, 1989, there were 553 adults (age 18 and over) under the supervision of probation officers in the province with 635 new cases added during the year.

On January 1, 1989, there were 218 young offenders under supervision with 412 new young offender cases brought under supervision during the year.

On December 31, 1989, 574 adult and 326 young offender cases were under supervision of probation officers.

Tables A and B contain statistical information on adult and youth caseloads for the years 1985 to 1989.

TABLE "A"
PROBATION SERVICES CASELOAD
ADULTS
(age 18 and over)

	1989	1988	1987	1986	1985
Cases Under Supervision Ending December 31st	574	553	498	608	621
New Cases Opened	635	553	555	654	646
Court Reports	143	136	161	158	116
New Charges (Breach of Probation)	61	69	66	74	75

TABLE "B"
PROBATION SERVICES CASELOAD
YOUNG OFFENDERS
(age 12 to 18th birthday at time of original offence)

	1989	*1988	1987	1986	1985
Cases Under Supervision Ending December 31st	326	218	244	305	212
New Cases Opened	412	209	219	254	234
Court Reports	152	75	158	173	150
New Charges (Breach of Probation)	31	14	25	17	24

- 4 -

*Youth Court did not operate for approximately five months.

Family (Court) Counsellors

Family Court counsellors continue to provide services out of the Courthouse in Charlottetown and from the Regional Services Centres in Summerside, O'Leary, Montague and Souris on a demand basis.

In 1989, there was a slight increase in the number of reports requested by the court. Irene MacInnis became ill in March and did not return to work during the year. This created a backlog of work. In September Katheryn Jones joined our staff on a secondment basis from her position with the Department of Health and Social Services. Some of the backlog of reports to the court were completed by private practitioners.

During 1989, the Family Court counsellors had the opportunity to participate in seminars and courses which is fundamental in keeping staff current.

One of the most challenging functions facing Family Court counsellors is that of mediation with couples who are ending a relationship. Indications are that this service will have increased demands in the future as the judges and lawyers refer more cases.

Temporary Absence Program

Staff of Probation Services assessed and investigated 159 applications from sentenced inmates of the Provincial Correctional Centre and Prince County Jail, under the regular Temporary Absence Program. Of these the Department of Justice authorized 124 temporary absences. This compares with 150 in 1988 and 228 in 1987. Of the 124 releases 10 were for purposes of employment or paid training; 5 for purposes of education; 66 for purposes of treatment (52 alcohol and 14 medical/psychiatric) and 43 for rehabilitative or humanitarian reasons.

There were 5 violations of temporary absence privileges for 1989 as compared to 10 for 1988 and 10 for 1987.

The above releases do not include releases where inmates were escorted by correctional officers, probation officers or under the general supervision of community supervisors in a volunteer capacity, nor do they include releases by the National Parole Board on either day or full parole. As well, these releases do not include inmates released under the Christmas Temporary Absence Program outlined below.

Christmas Temporary Absence

The Christmas Temporary Absence Program established in 1971 where sentenced inmates in provincial institutions were provided the opportunity of spending some time with family and/or friends was continued in 1989. Thirty inmates were provided the opportunity of being released for varying periods of time (4 - 72 hours).

CUSTODY PROGRAMS BRANCH

New Initiatives

The Custody Programs Branch again experienced a very busy year during 1989 with significant events in both Adult and Young Offender programs.

During the year the Branch commenced operation of two eight-bed, open custody young offender facilities located in Georgetown and Tyne Valley. The facilities opened in January and March respectively.

Also, during the year a major renovation project was completed at Prince County Jail and the Kings County Jail reopened as an Adult facility following the relocation of the secure custody young offenders program to Summerside.

A staff person was assigned responsibility for coordinating the implementation of the Program Review at the Provincial Correctional Centre in May.

Existing Programs & Facilities

Young Offender

Prince Edward Island Youth Centre: The year 1989 was the first full year of operation for this 32-bed secure custody facility.

The major issue during the year related to escapes of young offenders through the windows at the facility with three such escapes occurring. Late in the year a temporary solution to this problem was implemented with heavy screening being placed over the windows until such time as the Department of Transportation & Public Works could find a more permanent solution.

This facility reached its capacity of 32 young offenders in December, 1989.

Georgetown Youth Centre: This 8-bed, open custody centre opened in January, 1989, and operated at or near capacity throughout the year.

This facility also coordinated the operation of a Wilderness Camp in the Upton area. This camp was utilized by all three Youth Centres as well as by other youth serving agencies.

Tyne Valley Youth Centre: This 8-bed, open custody centre opened in March, 1989, and operated for a brief period of time with nine residents, one over capacity.

Several incidents which resulted in young offenders being removed from this facility to secure custody in Summerside have contributed to this centre being under capacity during the year.

Community Custody Program: This program, initiated in 1987, continued to provide a community based residential option for selected young offenders during the year.

This program is considered innovative in the Country and has drawn interest from several other jurisdictions.

Youths in this program may be placed into private homes in the community with additional staff resources allocated to assist the care provider.

Out-of-Province Placements: With the opening of three youth centres within the province, the practice of sending young offenders out of province declined significantly during 1989.

One young offender spent approximately six months at the Syl Apps Centre in Ontario for treatment not available locally.

Table "C" is a statistical table of the number of offender days in each young offenders custody program/location.

TABLE "C"
TOTAL DAYS BY YOUTH FACILITY

	LOCK-UP		REMAND		OPEN CUSTODY		SECURE CUSTODY		FACILITY TOTAL	
	1989	1988	1989	1988	1989	1988	1989	1988	1989	1988
GEORGETOWN YOUTH CENTRE	0	0	0	0	2035	0	0	0	2035	0
SUMMERSIDE YOUTH CENTRE	0	0	0	0	84	2736	0	0	84	2736
TYNE VALLEY YOUTH CENTRE	0	0	0	0	1352	0	0	0	1352	0
PRINCE EDWARD ISLAND YOUTH CENTRE	39	7	1066	87	0	0	7061	102	8166	196
COMMUNITY PLACEMENTS	0	0	0	0	875	1187	0	0	875	1187
OUT OF PROVINCE	0	0	0	0	53	335	152	2113	205	2448
ADULT FACILITIES	109	7	0	87	0	0	0	102	109	196
TOTAL	148	91	1066	473	4399	4267	7213	4580	12826	9411

Volunteers from several religious groups and denominations, as well as many other organizations, associations and individuals gave freely of their time to be involved in various ways in the operation of the youth and adult facilities and their programs. To these groups and individuals, as well as government departments and divisions also involved, the Department is extremely grateful.

Adult

Provincial Correctional Centre: The capacity of this facility remained at 96 beds during the year.

During the year the Provincial Correctional Centre continued to make inmates available to assist in various community service projects including working with seniors, church groups, and voluntary organizations such as the Upper Room Hospitality Ministry.

Staff and inmates of this facility also participated in the Annual Terry Fox Run, raising in excess of $700 for this most worthwhile cause. Mrs. Betty Fox visited the Center prior to the run taking place.

In July the Prison Arts Foundation of Canada set up a display at the Provincial Correctional Centre of art work created in correctional facilities across Canada.

There was one escape from within the institution involving two inmates during the year. Additionally, there were two escapes of individual inmates from escorted outside activities during the year.

Perhaps the most significant activity at the Provincial Correctional Centre during the year related to the assignment of a coordinator for the implementation of the recommendations of the Program Review report which had been prepared in 1988.

This report recommended fundamental changes to the organizational structure of the Correctional Centre, many of which will be implemented during the next year.

To assist further in this process an independent inspection of this facility was conducted by authorities from the Inspection Branch of the New Brunswick Department of Solicitor General through invitation from this Division.

Prince County Jail: The capacity of this facility at year end was 30 beds.

During the year this facility was closed from February to November inclusive as the building was being renovated to bring it to an acceptable standard of safety and security and to allow the potential to offer rehabilitative programs to inmates.

During the renovations, lock-up and prisoners with short sentences were housed in a temporary facility on Water Street, Summerside. Longer term sentenced inmates were transferred to the Provincial Correctional Centre.

Kings County Jail: This fourteen bed facility was converted back to adult use during the year following the transfer of the young offenders secure custody program to Summerside.

During the year seven new permanent staff were recruited including a new Superintendent.

Also during the year, renovations needed to bring this facility to acceptable safety and security standards were identified and are contemplated for next year.

There were no prisoner deaths in the Province during the year. Staff dealt with ten suicide attempts.

Table "D" identifies the number of prisoner admissions to the Correctional Centre and each jail during the year under the categories of: (1) Lock-up (police arrestees held prior to court appearance, federal parole violators, immigration detainees); (2) Court Remands; and (3) Sentenced. Only status upon original admission is counted. Prisoners who change from lock-up to remand or sentence status or from remand to sentence status without release are not re-counted under their new category.

Of the 127 remand admissions during the year, 75 eventually changed to sentenced status without release. They do not appear in the sentenced column of Table "D."

The number of prisoners held before transfer to a federal penitentiary was 39. Of these, 26 were sentenced by Prince Edward Island courts, 13 were federal parole violators. The corresponding numbers in 1988 were 20 and 9.

TABLE "D"
PRISONER ADMISSIONS

	LOCK-UPS		REMAND		SENTENCED	
	1989	1988	1989	1988	1989	1988
Provincial Correctional Centre						
Adult						
Male	943	1001	81	62	943	946
Female	69	62	10	3	58	64
TOTAL	1012	1063	91	65	1001	1010
Prince County Jail						
Adult						
Male	347	426	26	47	164	415
Female	9	24	2	0	1	0
TOTAL	356	450	28	47	165	415
Kings County Jail						
Adult						
Male	158	176	8	2	134	5
Female	3	7	0	0	1	0
TOTAL	161	183	8	2	135	5
Total 2 Jails + Provincial Correctional Centre						
Adult						
Male	1448	1063	115	111	1241	1366
Female	81	93	12	3	60	64
TOTAL	1529	1696	127	114	1301	1430

Table "E" is a statistical table of the number of days served by prisoners in 1989 in each jail and the Correctional Centre under the categories of: (1) Lock-up; (2) Remand; and (3) Sentenced.

TABLE "E"
PRISONER DAYS

	LOCK-UPS		REMAND		SENTENCED	
	1989	1988	1989	1988	1989	1988
Provincial Correctional Centre						
Adult						
Male	1101	1056	2843	2268	25088	21734
Female	69	63	103	8	813	431
TOTAL	1170	1119	2946	2276	25901	22165
Prince County Jail						
Adult						
Male	351	460	121	506	1252	3951
Female	9	28	2	0	2	0
TOTAL	360	488	123	506	1254	3951
Kings County Jail						
Adult						
Male	158	177	27	7	762	9
Female	3	7	0	0	3	15
TOTAL	161	184	27	7	765	24
Total 2 Jails + Provincial Correctional Centre						
Adult						
Male	1610	1693	2991	2781	27102	25694
Female	81	98	105	8	818	446
TOTAL	1691	1791	3096	2789	27920	26140

SPECIAL PROGRAMS

Justice Resource Service

The Justice Resource Service continued to coordinate the Community Crime Prevention Program. The program is funded through the Solicitor General of Canada and the Prince Edward Island Department of Justice.

The intent is to develop a province-wide crime prevention strategy over a three-year period. The project focuses on family violence, youth and impaired driving, with the overall objective of increasing community involvement in these and related issues. The program provides consultation, resources, and other support to local organizations and communities in developing community-based programs.

Highlights for 1988 included:

- facilitating the "Youth Making a Difference" network;
- coordinating the third provincial Crime Prevention Month;
- organizing a one-day seminar on the City (Charlottetown) Drug Problem;
- holding the second provincial Youth Conference on Crime Prevention;
- working closely with interagency committees on family violence in Charlottetown, Summerside, West Prince and Kings County;
- developing and monitoring projects on impaired driving funded through Health and Welfare Canada.

The Justice Resource Service works closely with the police, other justice agencies, and various community organizations.

The program takes a social development approach to crime prevention. The program is based on the concept that communities can solve many of their own problems and emphasizes interagency cooperation.

Victim Services Program

From January until April, 1989, a Victim Services Pilot Project continued to assist victims of crimes reported to the Charlottetown Police Department. Staff consisted of a full-time coordinator and part-time secretary.

In March, 1989, two Victim Services workers and a part-time secretary were hired and trained so that by April, 1989, Victim Services became a province-wide, system-based victim assistance program.

During the first six months of the province-wide program, April 1 - September 30, 1989, 332 new cases were opened. Victims contacted during this time period included 179 general (54%), 69 wife abuse (21%), 35 sexual abuse (11%), 22 other family abuse (7%), and 27 commercial/institutional victims (8%).

Assistance provided to victims of crime included: information about case status, the criminal justice system, and court procedures; emotional support and short-term counselling; referrals for legal, financial, and long-term counselling services; and assistance through the court process and with the preparation of victim impact statements. Because the level of assistance varied depending on the needs of the particular victim, the time involved with each case ranged from a few minutes (e.g., providing information about available services and/or case status) to many hours.

On September 30, 1989, the *Victims of Crime Act (PEI)* was proclaimed. The act includes a statement of principles, establishes a Victim Services Advisory Committee and Program, and provides for criminal injuries compensation and a victim surcharge system.

Also, Victim Services was designated as the program responsible for the preparation of Victim Impact Statements. During the months of October and November, twelve victim impact statements were available to the court for consideration at sentencing. These written statements summarize the physical, emotional, and financial effects of crime on the victim. Policy and procedure for Victim Impact Statements were authorized effective December 19, 1989.

Since proclamation of the *Victims of Crime Act*, criminal injuries compensation is available to victims of crime resulting in injury or death committed on or after October 1, 1989. The maximum amount of compensation payable is $15,000 for one victim or $30,000 for multiple victims of one occurrence. Victim Services staff assist victims in preparing applications and in investigating claims. A lawyer within the Legal Services Division adjudicates claims. During the months of October and November, six applications for compensation were received.

The federal Department of Justice is assisting financially with the establishment of the Prince Edward Island Victim Services Program. In the longer term, the program, including criminal injuries compensation awards, is to be financed through cost-sharing agreements and revenue from the surcharge now being collected on federal and provincial convictions.

Integrated Justice Information System

A project to develop an automated provincial central registry for youth court records as well as a fines management system in Provincial Court, Charlottetown, became a fully operational program in 1987. This was the first concrete stage toward the development of an Integrated Justice Information System in the province. This system was expanded to Summerside in May, 1988. An Adult Court Central Registry became operational in August, 1989. An Offender Management System is at the beginning of detail design and should be operational by late 1990. This work has been funded in part by the Canadian Centre for Justice Statistics, Ottawa.

Impaired Driving

The Report of the Provincial Advisory Committee on Impaired Driving was considered by Executive Council in July. It was released as a public document. An Implementation Committee was established by the Minister of Justice and Attorney General to consider and implement the report's twenty-four recommendations, with the expectation that a province-wide countermeasures strategy to deal with impaired driving be developed. A highlight has been the Provincial Conference on Impaired Driving under the theme, "Operation Cooperation: Are You Responsible?" held in Charlottetown in November.

Youth Court Clinic Project

A project initiated in 1987 to review and develop approaches as to how the youth courts and young offender programs can satisfy the requirements arising out of the *Young Offenders Act* for assessment, treatment and related resources was completed in 1989.

The final report includes an extensive review of this complex area and sets out a number of conclusions that will require ongoing attention. It is expected that the project report will receive wide distribution both within and outside the province.

Initiatives for 1990

In addition to demands arising out of ongoing programs of the division, particular attention will be focused on the following in 1990:

1. Reorganization and program changes at the Provincial Correctional Centre.

2. Continued work on the implementation of alternatives to imprisonment for individuals for nonpayment of fines.

3. Ongoing development of a staff development and training plan and human resource strategy for the division.

4. Finalization of a mission statement as well as policy and procedures across the division.

5. Review and assessment of Probation Services and Family (Court) Counsellors.

6. Continued work towards the full implementation of an Integrated (Criminal) Justice Information System with particular focus on an Offender Management System.

7. Renovations to Kings County Jail as well as the development of a special program for repeat impaired drivers at Kings County Jail.

8. Further review of alternatives to the lock-up of the public drunkenness offender in adult facilities.

9. Continued work on and involvement in crime prevention, family violence and community involvement in programs of the division and justice matters generally.

CONSUMER SERVICES DIVISION

A. Acts Administered:

The Consumer Services Division of the Department of Justice is responsible for the administration of the following laws:

Auctioneers Act	**
Bills of Sale Act	
Business Practices Act	
Cemeteries Act	**
Charities Act	**
Collecting Agencies Act	**
Conditional Sales Act	
Consumer Protection Act	**
Consumer Reporting Act	**
Direct Sellers Act	**
Films Act	**

Lottery Schemes Order	**
Prearranged Funeral Services Act	
Sale of Goods Act	
Part X, Bankruptcy Act	*
Private Investigators and Security Guards Act	**
Tax Rebate Discounting Act	*

Key: * - **Federal Statute**

** - **License or Registration Requirement**

B. Program Statistics and Comments:

1. Licensing and Registration:	**1988**	**1989**
(a) Direct Sellers Licensed	145	205
(b) Collecting Agencies Licensed Two Year Term	4	1
(c) Consumer Reporting Agencies Licensed - Two Year Term	5	0
(d) Auctioneers Licensed	32	32
(e) Lottery Licensed Issued (Bingo's, Raffles, Lotteries)	431	454
(f) Video Outlets Licensed One and Two Year Terms	144	55
(g) Private Investigators and Security Guards Licensed	90	127

2. Consumer Complaints and Inquiries:

(a) Complaints:	**1988**	**1989**
(i) Motor Vehicle Sales and Repair	175	170
(ii) Home Construction and Renovations	26	16

(iii)	Appliances - Sales and Services	62	55
(iv)	Mail Order/Direct Sales	218	229
(v)	Collections/Credit	76	75
(vi)	Financial/Debtor Problems	150	168
(vii)	Other	609	663
	TOTAL:	**1316**	**1376**
(b)	**Inquiries:**	**1988**	**1989**
	TOTAL:	**1626**	**1773**

3. Orderly Payment of Debts Program - Part X of the Bankruptcy Act		**1988**	**1989**
(a)	Funds Disbursed to Creditors	$82,965	$72,716
(b)	Debtor Interviews and Reviews	112	126

In 1989, seventeen new Consolidation Orders (new files) were issued as compared with eleven in 1988. Eighteen clients retired their debts in full during 1989 for a net decrease in active paying clients.

C. Consumer Education and Information:

During 1989, the staff of Consumer Services spoke to thirty-one different groups and educational institutions. These include: Holland College, Community Schools, Pre-Retirement and Job Re-Entry Courses across the province.

D. Legislative Initiatives:

Orderly Payment of Debts (OPD):

Effective April 1, 1989, the Bankruptcy Act Regulations were amended by the Privy Council and as a result two major changes were made in the administration of the Orderly Payment of Debts Program. Firstly, debts owing to the Crown, federal, provincial or municipal, may now be included in an OPD Consolidation Order and secondly, the province now retains a 10% levy from all funds remitted to creditors of OPD clients. The client, the debtor, receives credit for 100% of the payment, notwithstanding the fact that the amount remitted to the creditors is 90% of the amount paid.

E. Staffing:

Several staff changes/additions occurred during 1989.

Mr. Barry MacDonald was hired in late January to fill the new Compliance Officer position. This position was created to assist in the administration and enforcement of the Lottery Schemes Order and the Films Act. As well, it serves the Rental of Residential Tenancy Appeal Board as secretary.

On April 1, 1989, Mrs. Edna Lord, began a one year leave of absence under the provisions of the Salary Deferral Program. Mr. Charles D. Thomas filled this position until September 1 on a temporary assignment from the Highway Safety Division. Mr. Preston Robbins assumed these duties on that date and will continue to do so until Mrs. Lord's return on April 1, 1990.

In October, 1989, Ms Debbie MacKenzie was transferred to the Division from the PEI Housing Corporation.

Personnel

Director: Eric Goodwin
Consumer Services Officer: Preston Robbins
Compliance Officer: Barry MacDonald
Secretary/Receptionist: Marlene Hughes
Secretary: Debbie MacKenzie

CORPORATIONS DIVISION
ANNUAL REPORT
YEAR ENDED DECEMBER 31, 1989

Acts Administered

The Corporations Division of the Department of Justice is responsible for the following Acts:

Companies Act
Condominium Act
Co-operative Associations Act
Corporation Securities Registration Act
Credit Union Act
Licensing Act
Limited Partnerships Act
Partnership Act
Securities Act
Winding Up Act

Companies Act Statistics

Following are statistics which pertain to the various statutes administered by the Corporations Division:

	1989	1988
- Incorporations during the year		
Business Corporations.....	355	383
Not-for-profit corporations	49	52
Total new corporations	404	435
- Certificates of good standing under the Companies Act and Licensing Act	278	265
- Annual returns filed under Section 80 of the Companies Act	3,886	3,062

The number of incorporations during 1988 decreased 7% from the previous year. Most of the other filings under the Act were about the same as they were in 1988, except for annual return filings, which were 27% above the previous year. In 1989 there were 228 companies dissolved because of failure to file annual returns.

Co-operative Associations Act

There are some 90 active co-operatives in the Province.

During 1989 there were 11 new co-operatives incorporated and 15 were incorporated in 1988.

Corporations Division staff continue to work closely with co-operatives, especially through the Co-operative Union of Prince Edward Island, which acts as the voice of the co-operative movement in Prince Edward Island.

Corporation Securities Registration Act

Registrations under this Act totalled 312 in 1989 and 443 in 1988. In 1989 there were 99 certificates of status issued as opposed to 109 in 1988.

Credit Union Act

The Credit Union Act is administered by the P.E.I. Credit Union League Limited, which also carries out inspections of credit unions. A separate report on credit unions, as compiled by the League, is also presented in the Legislature.

The Credit Union League staff communicates regularly with the Department to keep it informed about the credit union movement.

Licensing Act

All out-of-province businesses carrying on business in this province are required to register under the Licensing Act regardless of whether they have an office or employees in the province. Such business organizations include banks, trust companies, loan companies, finance companies, chain stores, oil and gas companies, construction companies, manufacturers and generally all corporations not incorporated under the laws of this province and having their head office or chief place of business located outside the province.

	1989	1988
Companies registered under this Act.....	2,247	2,018

Partnership Act

The business names of sole proprietorships and partnerships are registered under the Partnership Act as well as the trade names of corporations.

	1989	1988
Declarations of proprietorships, partnerships and trade names filed during the year	935	891
Dissolutions Filed	184	172

Securities Act

The Securities Act regulates the sale of securities to the public and provides for the licensing of brokers and salesmen.

The following registrations and filings were made under the Act:

	1989	1988
Licenses issued		
- resident salesmen	111	106
- non-resident salesmen	20	9
- brokers	41	34
Prospectuses registered	539	535
Prospectus amendments registered .	128	107
Certificates of exemption from full prospectus requirements ...	81	79

Revenue

The Corporations Division collects fees under the various statutes it administers with revenue expected for the fiscal year ending March 31, 1990 of $842,600. For fiscal 1990/91, it will total about $1,122,000.

Other

Corporations Division staff spend a significant amount of time responding to inquiries from the public as the information filed in the Division is public information. Requests for information about corporations, co-operatives, partnerships, or other matters come from the legal and accounting professions, other government departments, police authorities, businessmen, bankers and other financial institutions and the public at large.

Inter-Government Conferences

The Director of Corporations or the Corporations Officer attended the 1989 Annual Conferences of the Canadian Securities Administrators, the Administrators of Co-operative and Credit Union Legislation, the Canadian Corporation Law Administrators and the Canadian Administrators of Trust Company Legislation.

These meetings are invaluable as there is much knowledge to be gained from administrators in the larger provinces where the various administrators specialize in the administration of securities law, company law, etc. In the smaller provinces such specialization is not practical for financial reasons.

These administrators' conferences are useful for exchanging information and developing uniform policies to ease the burden on business organizations which often operate in several provinces in Canada.

Personnel

Director: Edison Shea
Corporations Officer: Merrill Wigginton
Corporations Records Supervisor: Sandra Furlotte
Administrative Assistant: Sheila MacNevin
Secretary: Kay Constable
Secretary: Norma MacMillan
Secretary: Lori Stewart

CROWN ATTORNEY'S OFFICE

The Crown Attorney's office is mandated to represent the Attorney General of the Province in all aspects of his prosecutorial function both criminal and provincial; that is, among other matters, to advise on and prosecute all offences in the province under the **Criminal Code** of Canada and those under provincial statutes in the courts of the province. The office also represents the Attorney General on all appeals arising out of the operation of the Attorney General's prosecutorial function in the Province, launched either by the Attorney General or by the defendant in the Supreme Court of Prince Edward Island and the Supreme Court of Canada. Full-time offices are maintained in both Charlottetown and Summerside.

The court system in the province consists of several levels. There is the Appeal Court, on which there are three judges, the Supreme Court of Prince Edward Island on which there are four judges, and the Provincial Court on which there are three judges who also sit on the Young Offender's Court. Crown Attorneys appear regularly before all courts.

The work flows into the Crown Attorney's Office from the investigations of approximately 200 peace officers located in ten locations covering the province. Work also flows in from provincial departments, victims and numerous sources inside and outside the province. The prosecutions arising from these investigations are prosecuted before the courts of the province in the five locations jurisdictionally set up for the purpose. Appeals from these prosecutions are heard in Summerside and Charlottetown.

Developments This Year

Following an audit prepared by the Auditor General's Office in 1988 additional staff to meet the ever increasing workload was hired. This new staffing was added to the Summerside and Charlottetown offices.

The year 1989 has revealed that the trend that has been developing over the years in escalating workload has not abated. Demands on individual staff remains high. This is most evident in the area of offences against the person be it sexual or otherwise where there has been a spate of cases calling for sensitive and in-depth involvement.

Personnel

Director:	Richard B. Hubley, Q.C. Charlottetown Office
Crown Attorney:	Darrell E. Coombs, Charlottetown Office
Crown Attorney:	David P. O'Brien, Summerside Office
Crown Attorney:	Agnes E. MacDonald, Charlottetown Office
Crown Attorney:	David E. Larter, Charlottetown Office
Crown Attorney:	Bert Visser, Summerside, Office
Administrative: Assistant	Linda M. Peters
Secretary:	M. Paulette Neale
Secretary:	Wendy R. MacDougall
Secretary:	Michelle Montgomery

FAMILY LEGAL AID

April 1, 1988 to March 31, 1989

This is the ninth annual report of the family legal aid program. The program is operated in conjunction with the criminal legal aid program which has provided cost-shared legal aid in criminal matters since 1973. Legal service for both programs is provided by a full-time staff of three lawyers and two secretaries. Administrative services are provided by the Provincial Justice Department. The Director of Legal Aid, who is one of the three staff lawyers, is responsible for the management of the program.

Objectives

The objective of family legal aid is to provide access to essential legal services in the area of family law. The program attempts to provide free legal services to eligible persons in situations where a person of modest means would hire a lawyer in private practice if faced with the same legal problem. This is the common objective of legal aid throughout Canada. The achievement of that objective has always been limited to some extent by the availability of staff and budgetary resources. Prince Edward Island has not been able to achieve the level of

service provided in provinces where family legal aid was established in the early to mid-70's. According to Statistics Canada figures for 1987-88, the average per capita expenditure for all legal aid services in Canada and the Provinces was $10.05. By comparison the reported expenditure for P.E.I. was $2.24.

Eligibility

Eligibility is restricted to persons who are on social assistance at the time of application or who might become eligible for such assistance if required to pay the estimated cost of representation by private counsel. Income scales are considered in assessing financial eligibility but in practice they are of limited use because the cost of the legal services required cannot be similarly determined. In other words, an applicant of slight means might be able to afford the costs of a very simple case, whereas a case of major complexity might exhaust the financial resources of an applicant with a relatively good income.

Priority for assistance is given to applicants whose legal problems directly involve dependent children.

Legal aid may be refused in any situation where a reasonable individual of modest means faced with a similar problem would choose not to pay from his or her own pocket to obtain the assistance requested.

Our experience to date has shown that most applicants are financially eligible. Where service has been refused, it has usually been due to the shortage of legal staff to pursue the matter. This problem has intensified in recent years due to increasing demands on staff time in the criminal sector of the program.

Coverage

Coverage is limited to matters within the jurisdiction of the Family Division of the Supreme Court. Generally, this involves the Divorce Act, Family Law Reform Act, Custody Jurisdiction and Enforcement Act and the Family and Child Services Act. Priority is given to applicants under the Family and Child Services Act because they face the ultimate risk that their children may be apprehended and taken into permanent custody.

Involvement of Private Counsel

Legal aid staff lawyers may represent only one party in any dispute. The same restriction applies to law firms in private practice. In some cases more than one party seeks legal aid. Depending on the circumstances of the case, the additional applicants may be referred to private counsel on a tariff basis. About 30 percent of the program budget is spent on private counsel services. This part of the budget is very difficult to administer because it involves priorizing cases and limiting the number of hours of service that may be provided by private counsel.

Legal Aid in Other Provinces

Before the introduction of family legal aid in Prince Edward Island, residents of this Province were ineligible for assistance in other Provinces. Under inter-provincial legal aid agreements, residents of Prince Edward Island may now obtain legal aid in any Province of Canada. A condition of the inter-provincial coverage is that similar service must be available to non-residents in this Province.

Number of New Files Opened

There were 304 new files opened in 1988/89. This number includes only those cases where legal action was commenced through correspondence, negotiation, or court action. The figure does not include telephone and office consultations where summary advice was given without any of the foregoing action.

Family cases tend to be difficult to settle quickly. Most cases take several months to resolve and in some, work proceeds beyond the year in which the file was opened. By nature, the practice of family law differs from other areas of litigation in that the circumstances of the litigants may continue to change and bring about new difficulties. Consequently, the capacity of the program to take new cases may be less in each successive year.

Telephone Inquiries

The provision of summary legal advice by phone is an important aspect of the program. The majority of applicants call in the initial stages of family break-ups. Early advice and appropriate referrals to other agencies at that stage may provide reassurance and enable callers to resolve their difficulties before they lead to costly litigation.

Program Statistics
Family Legal Aid

		87/88	88/89
1.	NUMBER OF PERSONS FOR WHOM NEW FILES WERE OPENED:	267	304
2.	TYPE OF APPLICATION:		
	Matrimonial: Includes Divorce, Separation, Custody and other family matters	86%	91%
	Child Protection Cases: Family & Child Services Act	14%	9%
3.	REGIONAL DISTRIBUTION OF SERVICE:	No. of Files	
	Charlottetown	120	143
	Summerside	147	161
		87/88	88/89
4.	RATIO OF MALE TO FEMALE CLIENTS:		
	Male	16%	22%
	Female	84%	78%
5.	NUMBER OF CASES WHERE PRIVATE COUNSEL ACTED THROUGH LEGAL AID:	17	30
6.	FEES AND DISBURSEMENTS PAID TO PRIVATE COUNSEL:	$ 19,500.00	$ 26,789.46
7.	NUMBER OF INTER-PROVINCIAL REQUESTS:		
	To other provinces	8	7
	From other provinces	3	4
8.	TOTAL EXPENDITURES:	$ 68,000.00	$ 85,506.00

SUPERINTENDENT OF INSURANCE

Insurance	1989	1988
Companies registered and licensed	247	244
Applicants examined	107	103
Insurance agents' licenses issued	297	297
Insurance adjusters' licenses issues ..	42	45

Comments

Automobile insurance premiums were up in 1989 due to loss experiences in the recent years. While market conditions have improved, some difficulties continue to be experienced in areas of liability cover, especially pollution or environmental impairment. The Self Insurance Program (SIP), established three years ago, continues to work well. Government, school units and hospitals continue to be covered under the program.

The Province of Ontario has now received the Task Force Report on Insurance and a number of the recommendations are presently being implemented. As most of the insurance company offices are located in Ontario, any action taken there will have an influence and impact in other provinces. This office will continue to monitor the situation closely.

The Canadian Council of Superintendents of Insurance, in conjunction with the Insurance Bureau of Canada and other segments of the industry, have established a Compensation Fund for all of Canada. The Fund indemnifies claimants of insolvent insurer and is funded by an assessment on all licensed insurers. This plan became operational in 1988. A similar Compensation Fund, developed in conjunction with the Canadian Life and Health Insurance Association for the life and health industry, will be operational in 1990.

The Facility Association, which is designed to cover high automobile risks, continues to work well and no major problems are being encountered.

The detailed report of the Superintendent for 1988 is provided separately and licensing statistics for 1989 are set out above. Of particular note is the constant progress made by the Prince Edward Island Mutual Fire Insurance Company during the year. The Company is well managed and this year celebrates the 105th anniversary of its founding.

The practice of examining applicants for agents' licenses continues for all classes and we believe this has greatly improved the caliber of agents and reduced the turnover which was so prevalent in the past.

All persons adjusting insurance claims in the Province must hold a valid license.

The Superintendent attended two national meetings of the Council of Superintendents, along with a number of Committee meetings.

Premium and Fire Prevention Tax	**1989**	**1988**
Premium tax collected	$1,510,930.59	$1,354,133.01
Fire prevention tax collected	125,924.29	91,397.61
Totals	**$1,636,854.88**	**$1,445,530.62**

Comments

Premium tax at the rate of 2% is collected on all insurance premiums (except fraternal and marine) written in the Province. The Fire Prevention Tax, which is assessed at 3/4 of 1% of the total fire premiums, is basically designed to defray expenses of the Provincial Fire Marshal's office. The increase in Premium Tax and Fire Prevention Tax is due to the increase in premium income.

Official Trustee

The services of the Official Trustee continue to increase during the year with 165 active accounts. Funds held in trust fluctuate and averaged $1,442,453.91 over the period. Excess funds are invested in Deposit Receipt Certificates with the Minister of Finance and at year end amounted to $1,652,000.00.

The accounts are reviewed annually by the Auditor General and his report is available elsewhere.

We continue to enjoy a close working relationship with the Division of Aging of the Department of Health and Social Services and as a result, we are able to better control the assets of patients or guests who are considered incompetent. The role of the Official Trustee is increasing, as all persons admitted to government homes that are considered incompetent are declared before admission. He is also called upon to represent estates of

deceased persons in certain actions and, of course, continues to act as Administrator of Estates when no one else is available or qualified. The Official Trustee is also appointed Guardian in some situations, especially in the case where emergency surgery is considered necessary.

The Advisory Committee is consulted from time to time as the need arises.

Real Estate

The Superintendent of Insurance also administers the Real Estate Trading Act. Sales by agents during 1988 increased to more than 139 million dollars. Another good year is expected for 1989. Sales commissions for 1988 amounted to nearly six million dollars. An unknown number of properties are sold privately and those, of course, are not included in the figures given.

Two hundred and fifty-four (254) agents and salespersons were licensed in 1989, which is an increase over the previous year. New applicants must be bona fide residents and are required to pass a written examination which is written in this office by appointment. All agents and salespersons are bonded. A total of 74 examinations were written in 1989.

Personnel

Superintendent of Insurance: W. Bennett Campbell
Administrative Assistant: Marlene Phelan

JUDICIAL DIVISION

Function and Organization

This Division is responsible for the design and maintenance of an administrative structure that meets the needs of all courts throughout Prince Edward Island. Its primary and continuing objective is to make appropriate and effective use of personnel and other resources to develop and manage a comprehensive court services program throughout the Province.

The overall strength of personnel in the Division is 28 with distribution being as follows:

	Protho-notary	Legal Ser. Off.	Jud. CL1	Jud. CL2	Jud. CL3	Crt. Steno	Sher.	CL & JP Pt. Time	TOTAL
Ch'town	1	5	1	-	4	7	1	-	19
S'Side	-	1	-	-	2	2	1	-	6
Alberton	-	-	-	-	-	-	-	1	1
Geo'town	-	-	-	-	1	-	-	-	1
Souris	-	-	-	-	-	-	-	1	1
	1	6	1		7	9	2	2	28

The personnel provide the courts with support services, some of which are as follows:

1. **General Administration**

   - budget and expenditure control
   - personnel transactions
   - equipment supply, purchases, etc.

2. **Judicial Administration**

   - taxation of costs
   - bankruptcy and discovery
   - supervision over court officers
   - Justices of the Peace

3. **Court Records**

   - registration and maintenance

4. **Docketing at Supreme Court Level**

5. **Stenographic and Secretarial and Clerk of the Court**

6. **Sheriff Services**

   - jury impanelment
   - process servers
   - execution of court orders

7. **Financial Record Management**

   - approximately $3 million annually at both court levels.

Appeal Division

The Appeal Division consists of Chief Justice Norman H. Carruthers and two other judges, who sit together to hear civil and criminal appeals as well as references which occasionally come before the court.

Criminal Appeals - 1989

Appeals carried forward from 1988	8
Decisions reserved from 1988	3
Appeals filed	49
Total appeals in system	60
Appeals heard	31
Decisions given	34
Appeals abandoned	7
Appeals adjourned to 1990	2
Appeals reserved for decision at the end of 1989	0
Appeals filed and not set down for hearing in 1989	17

Civil Appeals - 1989

Appeals carried forward from 1988	23
Decisions reserved from 1988	2
Appeals adjourned to date to be fixed	2
Appeals filed	39
Total appeals in system	66
Appeals heard	34
Decisions given	33
Appeals abandoned	13
Appeals reserved for decision at the end of year	3
Appeals filed and not yet set down as of December 31, 1989	28

Summary

Total appeals filed	88
Total heard	65
Total decisions given	67
Total decisions reserved	3
Total written decisions	50
Total oral decisions	17
Total appeals in system as of December 31, 1989 to be scheduled for hearing	45

The members of the Appeal Division assist the Trial Division by handling uncontested chambers and divorces, weddings and the work of the Estates Section.

Trial Division

The members of the Trial Division consist of Chief Justice Kenneth R. MacDonald and three Associate Justices along with Mr. Justice Charles R. McQuaid, who is serving in a supernumerary capacity.

General Section	1989
Originating Notices received	1305
Cases heard and decisions rendered	53
Written decisions	45
Oral decisions	8
Cases set for hearing and settled	30
Reserved judgments	10
Trials taking five or more days	4
Contested Chambers	
Applications for all General Section matters	186

NON-JURY CRIMINAL TRIALS (SPEEDY TRIALS)

Cases heard and decisions rendered	82
Written decisions	20
Guilty pleas	57
Cases taking five or more days	6
Cases awaiting trial	45

SUMMARY CONVICTION APPEALS

Cases received during year	38
Cases heard and decisions rendered	31
Written decisions	23
Oral decisions	8
Appeals abandoned	12
Reserved judgments	14
Cases awaiting trial	34

CIVIL JURY TRIALS

Cases docketed	10
Trials held	0
Settled	7
Adjourned	3

CRIMINAL JURY TRIALS

Cases docketed	50
Trials held	3
Re-elections	32
Adjourned	13
Indictments stayed	2

Small Claims Section	1989
New files opened	1079
Nothing done except Originating Notice	364
Default judgments	283
Defences filed	88
Trials held	31
Written decisions	9
Oral decisions	22
Set for hearing and settled	39

Family Section	1989
Cases heard and decisions rendered	62
Written decisions	26
Oral decisions	36
Cases set for hearing and settled	25
Reserved for judgment	6
Cases taking five or more days	3
Divorce petitions	295
Adoption petitions	58
Weddings	102
Change of name applications	67
Family Law Reform Act	53
Family and Child Services Act	54
Custody, Jurisdiction & Enforcement Act	47
Other	17
Contested Chambers - Applications Heard	179

DIRECTOR OF MAINTENANCE ENFORCEMENT

New Files	170
Files brought forward	100
Total cases in system	270
Number of cases taken to court	174
Collected for maintenance payments	$968,814

Estates Section	1989
Applications for probate	342
Applications for administration	86
Reseal of foreign grants	28
TOTAL NUMBER OF GRANTS ISSUED	**466**
Applications for hearing to pass final accounts	17
TOTAL NUMBER OF PETITIONS FILED	**483**
Probate Fees Charged	$153,733
Value of Estate Assets	$27,311,151

Commercial Documents Registered

	1989
Chattel Mortgages	17,114
Conditional Sales Agreements	7,345
Assignment of Book Debts	1,852

Provincial Court

Total Monies Collected	1988	1989
Georgetown	110,222.00	110,972.57
Souris	75,085.00	48,655.00
Alberton	98,502.00	133,986.76
Charlottetown	444,754.00	558,952.80
Summerside	316,992.00	330,635.01
	$1,045,555.00	$1,183,202.14

LEGAL SERVICES DIVISION

Legal Services are provided to the Premier's Office, Executive Council, Government Departments and some Crown Corporations and Agencies by lawyers employed in the Legal Services Division.

The Division has assigned solicitors to serve specific departments of Government in order to provide a degree of specialization which would not otherwise be possible.

The Legal Services Division represented Government in 1989 on litigation before the various divisions of the Supreme Court of Prince Edward Island. It also represented Government before various administrative tribunals and provided legal advice to others. Legal opinions and advice were provided on a full range of other matters to Departments of Government, Commissions and Agencies.

Three new positions were added to the Division over the past year. They include two full-time departmental solicitors, Shauna Sullivan Curley and Les J. Zielinski, and a part-time legal secretary. An articled clerk was also hired by the Division for a period of nine months beginning in September 1989.

Personnel

Director of Legal Services:	Charles P. Thompson
Departmental Solicitors:	Judith M. Haldemann
	Roger B. Langille
	Valerie A. Moore
	Shauna Sullivan Curley
	Les J. Zielinski
Articling Clerk:	Laurie MacKinley
Administrative Assistant:	Deborah L. Gillespie
Legal Secretary:	Mary Lynn Smith

LEGISLATIVE COUNSEL

After two years of prodigious productivity, the Legislative Assembly enacted very little public legislation in 1989. The respite enabled the staff of the Legislation Division to concentrate their energy on the production of a revision of the statutes.

The Revised Statutes of Prince Edward Island came into force on December 29, 1989 and state the statute law of the province at December 31, 1988.

The Revision was produced in both bound and looseleaf form. A revised index of the statutes was prepared by the Canadian Law Information Council Indexing Centre. The index is an important feature of the revision and will enable Islanders to identify much more easily the provisions of statutes they wish to research.

Personnel

Legislative Counsel: Raymond Moore
Legislative Editor: Leona Nicholson

PUBLIC DEFENDER

April 1, 1988 to March 31, 1989

This was the sixteenth year of the Public Defender Program in Prince Edward Island. The service is cost shared under a federal-provincial agreement which applies in all provinces.

Objective

The objective of the criminal legal aid program is to ensure equality before the criminal law throughout Canada by making lawyers available to persons who would otherwise be unable to afford legal representation in serious criminal matters. The program is designed to promote the development of national minimum standards in access to legal services in areas of federal legislation.

Eligibility

The legal aid agreement between Canada and the Province specifies that eligibility for legal assistance is to be determined by a flexible means test. In this Province the test is conducted by a staff lawyer who must weigh the seriousness of the legal proceedings and then consider whether the applicant's present means should be sufficient to actually obtain private counsel within the time required.

How Service is Obtained

To obtain service, the applicant must contact a staff lawyer in the same manner as a paying client would contact a private practitioner. Contrary to a common misconception, the courts do not assign cases to legal aid staff lawyers. Although legal aid has become an integral part of the justice system, the program is administered independently from the courts.

Choice of Counsel

Legal services are provided by three staff lawyers. Private counsel are retained in a small percentage of cases where a scheduling problem or a conflict prevents a staff lawyer from acting. It is only in murder cases that the applicant is automatically given the choice of being represented by private counsel.

Offices

Full-time offices are maintained at the Law Courts Building in both Charlottetown and Summerside. On court days, staff lawyers also travel to Alberton, Souris, and Georgetown, if there are requests for assistance.

Cost-Sharing Formula

The federal-provincial cost-sharing agreement has been re-negotiated every few years. The same cost-sharing formula applies across the Country but the level of federal contribution varies, depending on provincial per capita expenditures and other factors under a complex formula. Canada's share of criminal legal aid expenditures in this Province has consistently been in the range of 85 to 90 per cent. For the Country as a whole, Canada's contribution has been in the range of 45 to 55 per cent since 1973. Statistics Canada reports that in 1987-88, per capita expenditures for Canada and the Provinces were $10.05 for criminal and civil legal aid. By comparison, expenditures for this Province were $2.24 per capita.

Young Offenders

The demand for assistance under the Young Offenders Act, which was proclaimed in 1984, remained the level reported in the previous year. The YOA places heavy emphasis on legal representation. Police officers and the courts are required to advise young offenders of their right to counsel at all stages of the proceedings from arrest to trial. In addition, the YOA contains several safeguards to ensure that young offenders are given the benefit of any doubt where their eligibility for free legal counsel is unclear. Experience to date seems to indicate that most young offenders are eligible for legal aid. All legal aid services under the Act are cost shared by Canada on terms similar to the present adult criminal legal aid agreement.

Cases Completed

The following cases were completed during the year. The definition of the term case may vary from province to province. Accordingly, costs per case and caseload statistics may be difficult to compare. In this Province each separate charge is counted as a separate case. An applicant may have several charges arising from one incident. Likewise, charges from several incidents are often dealt with by the court at one time. In either situation, the number of cases is equal to the number of charges for statistical reporting. An appeal is also recorded as a separate case. Applications involving cases carried over from a previous year are not recorded in this report until the year in which the file is completed. In any instance where the same applicant requests assistance more than once within the same year, an additional application is recorded. During the past year, 34 individuals requested assistance on more than one occasion.

Young offender cases are shown under each separate offence category.

	NUMBER COMPLETED			
	87/88		88/89	
	YOA	ADULT	YOA	ADULT
Unlawful homicide	-	4	-	-
Robbery	1	26	-	11
Theft, possession of stolen goods, & break and enter	272	266	272	297
Fraud, false pretences	30	162	14	244
Drunk & impaired driving	14	196	15	135
Other motor vehicle	5	56	6	34
Escape - unlawfully at large	9	10	9	12
Cause disturbance	8	26	8	34
Assaults (including sexual assaults)	19	102	30	91
Resisting arrest	3	11	1	8
Arson	4	3	5	3
Property damage	47	54	41	36
Breach probation	19	23	9	17
Dangerous & prohibited weapons	1	4	4	9
Narcotics	5	21	12	20
Sentence review YOA	15	-	9	-
Others	23	26	13	29
	475	990	448	980

Summary of Legal Aid

	87/88	88/89
Number of files (separate applications) completed and closed during the year	738	751
Number of cases (separate charges or appeals) completed in the above files	1,465	1,428
Cases where private counsel participated at some stage	60	69
Percentage of cases handled in whole or in part by private counsel	4%	4.8%
Number of private counsel who participated	17	21
Cost of service rendered by private counsel *(unaudited)	$24,118.91	$48,119.66
Private counsel costs as a percentage of total expenditures	11%	21%

Number of Applications By Region

	87/88	88/89
Charlottetown	411	414
Summerside	208	202
Alberton	17	43
Georgetown	71	64
Souris	31	28

Age of Recipients

	87/88	88/89
Young Offenders		
12 - 15 years	32%	34.5%
16 - 17 years	68%	56%
18 - 19 years		9.5%
Adults:		
18 - 19 years	14%	17%
20 - 24 years	33%	33%
25 - 29 years	16%	19%
30 - 34 years	9%	9%
35 - 39 years	9%	8%
40 - 59 years	17%	13%
over 59 years	2%	1%

Total Criminal Legal Aid Expenditures

87/88	88/89
$215,000	$228,672